

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Tamara D. Kyle

Plaintiff,

v.

Focus Receivables Management, LLC  
c/o CT Corporation System  
208 S. LaSalle Street, Suite 814  
Chicago, IL 60604

Defendant.

Case No.

**COMPLAINT**

**Jury Demand Requested**

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**JURISDICTION AND VENUE**

- 1- This court has jurisdiction pursuant to 28 U.S.C. §§1331, 1337, 1367; and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

**PARTIES**

- 3- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 4- Plaintiff is a resident of the State of Illinois.
- 5- Defendant is a corporation with its principal office in the State of Georgia.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 7- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

**FACTS COMMON TO ALL COUNTS**

- 9- On or around May 25, 2012, Plaintiff filed a bankruptcy petition that included the Debt.
- 10- On or around June 8, 2012, Defendant sent Plaintiff a letter to collect the Debt.
- 11- At the time of the letter, Defendant knew, or should have known, that the Debt was included in Plaintiff's bankruptcy.
- 12- Defendant's attempt to collect a debt that is part of Plaintiff's bankruptcy violates the FDCPA. *See Ross v. RJM Acquisitions Funding, LLC*, 480 F.3d 493 (7th Cir. 2007).
- 13- Defendant damaged Plaintiff.
- 14- Defendant damaged Plaintiff.
- 15- Defendant violated the FDCPA.

**COUNT I**

- 16- Plaintiffs incorporate all the allegations and statements made above as if reiterated herein.
- 17- Defendant violated 15 USC § 1692c(a)(2) by communicating with a consumer after having notice that the consumer was represented by an attorney.

**COUNT II**

- 18- Plaintiffs incorporate all the allegations and statements made above as if reiterated herein.
- 19- Defendant violated 15 USC § 1692f by engaging in unfair and/or unconscionable means to collect, or attempt to collect, the Debt.

**JURY DEMAND**

- 20- Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

- 21- Plaintiffs pray for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorney's fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3);
- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

By: /s/ Richard J. Meier

Richard J. Meier, Esq.

53 W. Jackson Blvd, Suite 709

Chicago, IL 60604

Tel: 312-242-1849

Fax: 312-242-1841

richard@meierllc.com

*Attorney for Plaintiff*